

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION

IN RE: BOSTON SCIENTIFIC CORP.  
PELVIC REPAIR SYSTEMS  
PRODUCTS LIABILITY LITIGATION

MDL NO. 2326

**PRETRIAL ORDER # 172**  
**(APPROVING QUALIFIED SETTLEMENT FUND SUB-ACCOUNT – SPG)**

Pending is an Unopposed Motion for Approval of Qualified Settlement Fund Sub-Account, filed August 31, 2017. [ECF No. 4338]. Sanders Phillips Grossman LLC. (“SPG”), as counsel for certain Plaintiffs in MDL 2326, has moved the Court for entry of an Order to aid in the efficient processing and administration of a confidential settlement agreement (the “MSA”) between SPG and Boston Scientific Corporation and its related and affiliated entities (“BSC”) as defined in the MSA (collectively, the “Parties”) to resolve the claims of those certain Plaintiffs against BSC relating to pelvic mesh products.

In particular, the Parties’ Motion seeks an Order approving the creation of the SPG TVM Settlement Fund BSC Sub-Account (the “BSC Sub-Account”).

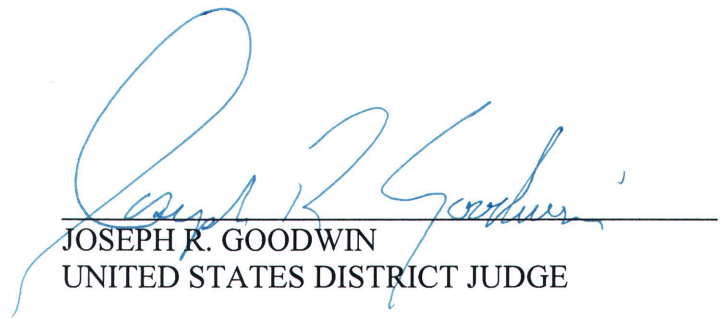
The Court has reviewed the Unopposed Motion to Establish Qualified Settlement Fund and Appoint Administrator [ECF No. 4463] in MDL 2187 and entered the SPG TVM Order. *See* PTO # 265 in *In re: C. R. Bard, Inc. Pelvic Repair System Products Liability Litigation*, 2:10-md-2187 [ECF No. 4664]. Now, having reviewed the Unopposed Motion for Approval of Qualified Settlement Fund Sub-Account [ECF No. 4338], and finding good and sufficient cause, **FINDS** and **ORDERS** as follows:

- 1) The Unopposed Motion for Approval of Qualified Settlement Fund Sub-Account [ECF No. 4338] is **GRANTED**.
- 2) The creation of the BSC Sub-Account within the SPG TVM Settlement Fund is approved.

3) The BSC Sub-Account shall be administered consistent with the BSC Sub-Account Addendum, filed with the Unopposed Motion for Approval of Qualified Settlement Fund Sub Account, and the MSA.

The Court **DIRECTS** the Clerk to file a copy of this Order in 2:12-md-02326 and it shall apply to each member related case previously transferred to, removed to, or filed in this district *where applicable*, which includes counsel in all member cases up to and including civil action number 2:17-cv-04152. In cases subsequently filed in this district, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action at the time of filing of the Complaint. In cases subsequently removed or transferred to this court, a copy of the most recent pretrial order will be provided by the clerk to counsel appearing in each new action upon removal or transfer. It shall be the responsibility of the parties to review and abide by all pretrial orders previously entered by the court. The orders may be accessed through the CM/ECF system or the court's website at [www.wvsd.uscourts.gov](http://www.wvsd.uscourts.gov).

ENTER: October 16, 2017



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE